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*Attorneys for Defendants Service Employees  
International Union; Luisa Blue; Mary Kay Henry;  
and Nevada Service Employees Union*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAYMOND GARCIA, *et al*,  
Plaintiffs,  
vs.  
SERVICE EMPLOYEES  
INTERNATIONAL UNION, *et al*,  
Defendants.

CASE NO. 2:17-cv-01340-APG-NJK

**[1] MOTION TO EXTEND TIME FOR DEFENDANTS TO FILE THEIR OPPOSITION TO PLAINTIFFS' MOST RECENT MOTION FOR PRELIMINARY INJUNCTION;**

CHERIE MANCINI, *et al.*,  
Plaintiffs,  
vs.  
SERVICE EMPLOYEES  
INTERNATIONAL UNION, *et al.*,  
Defendants.

CASE NO. 2:17-cv-02137-APG-NJK

## **MOTION TO EXTEND TIME**

1. Absent extension, Defendants' opposition to Plaintiffs' most recent motion for preliminary injunction [ECF No. 206 in *Garcia*] is due on November 23, 2018, the day after Thanksgiving. (The motion, if granted, would *inter alia* end the trusteeship over SEIU Local 1107 implemented on April 27, 2017, and reinstate Plaintiff as President of Local 1107, the office from which she was removed on April 26, 2017.) This is the first extension request regarding the opposition to this motion, and Defendants do not anticipate making any further such requests.

2. On November 9, 2018, immediately after Plaintiffs filed the instant motion, Defendants requested that, due to the intervening Thanksgiving Holiday and weekend, Plaintiffs stipulate to extend Defendants' deadline for filing their opposition to Friday, November 30, 2018. Plaintiffs refused to so stipulate. *See Exhibit "A" hereto*, an e-mail message from Plaintiffs' counsel, dated Friday, November 9, 2018, at 9:41 a.m.

3. The undersigned is Defendants' lead counsel in this matter. Mr. Rothner's son will be visiting from college in Chicago for Thanksgiving, arriving in Los Angeles mid-day on November 21 and leaving to return to Chicago on the morning of November 26. In light of their son's visit during the holiday weekend, Mr. Rothner and his wife have multiple gatherings, planned weeks ago, involving immediate family, friends, and extended family. Of course, the firm's other attorneys working on this matter also have plans to enjoy the Thanksgiving Holiday weekend with their families and friends.

4. The Defendants recognize that in connection with the filing of their Motion for Preliminary Injunction, Plaintiffs seek an order shortening time for any hearing thereon [ECF No. 206, p. 3 of 30]. Plaintiffs are concerned that their claims may be mooted when Defendants conduct an election this December, which will result in the trusteeship ending and the installation of a President. Plaintiffs are correct that a trusteeship ends with an election of officers, who take over control of their union from the trustees. But as we will inform the Court more fully in our opposition to Plaintiffs' motion, no such election is scheduled for December. Nor could it be, as the first order of business in ending this trusteeship will be to place before the membership for

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adoption by secret ballot vote a revised set of bylaws designed to correct some of the structural and governance problems that caused Local 1107's Executive Board to request this trusteeship.

DATED: November 9, 2018

ROTHNER, SEGALL & GREENSTONE  
GLENN ROTHNER (*pro hac vice*)  
JONATHAN COHEN  
ELI NADURIS-WEISSMAN (*pro hac vice*)

CHRISTENSEN JAMES & MARTIN  
EVAN L. JAMES

By /s/ Glenn Rothner

Glenn Rothner (*pro hac vice*)  
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*Attorneys for Defendants  
Service Employees International Union; Luisa Blue;  
Mary Kay Henry; and Nevada Service Employees Union*

## ORDER

## IT IS SO ORDERED:

**HONORABLE ANDREW P. GORDON,  
UNITED STATES DISTRICT JUDGE**

Dated: November 13, 2018.

### Index of Exhibits to

[1] Motion to Extend Time for Defendants to File Their Opposition to Plaintiffs' Most Recent Motion for Preliminary Injunction;

(First Request)

## [2] Order Thereon

Exhibit A      E-mail message from Plaintiffs' counsel, dated Friday, November 9, 2018, at  
9:41 a.m.

**CERTIFICATE OF SERVICE**

I am a member of Rothner, Segall & Greenstone. On this 9th day of November, 2018, I caused a true and correct copy of the foregoing **[1] MOTION TO EXTEND TIME FOR DEFENDANTS TO FILE THEIR OPPOSITION TO PLAINTIFFS' MOST RECENT MOTION FOR PRELIMINARY INJUNCTION; (First Request) [2] ORDER THEREON** to be served in the following manner:

**ELECTRONIC SERVICE:** Pursuant to LR IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served through the Notice of Electronic Filing automatically generated by the Court.

ROTHNER, SEGALL & GREENSTONE

By: /s/ Glenn Rothner  
Glenn Rothner

# **Exhibit A**

**(E-mail from Plaintiffs' counsel,  
dated November 9, 2018)**

## **Jonathan Cohen**

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**From:** Michael Mcavoyamaya <mmcavoyamayalaw@gmail.com>  
**Sent:** Friday, November 9, 2018 9:41 AM  
**To:** Jonathan Cohen  
**Cc:** Glenn Rothner; Eli Naduris-Weissman; Evan James (elj@cjmlv.com)  
**Subject:** Re: Extension of time for opp. to motion for PI/TRO

You know full well that your client is trying to hold an election to moot the claims in December. I do not intend to all you to do so. Your request is denied.

On Fri, Nov 9, 2018, 9:39 AM Jonathan Cohen <jcohen@rsglabor.com> wrote:

Michael,

Defendants' opposition to the motion for preliminary injunction you filed yesterday is due on 11/23, the day after Thanksgiving. As a courtesy, please let us know if you'll agree to extend our deadline to the following Friday, 11/30.

Thanks,

Jonathan Cohen  
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